

all
amended

- (b) at least one silicone compound comprising at least one and not more than two groups capable of reacting with the groups R_1 of said at least one polysiloxane (a), wherein:

- at least one of the compounds of type (a) and (b) comprises an aliphatic group comprising an ethylenic unsaturation.

REMARKS

I. Status of the Claims

Claims 1-104 are pending in this application. Claims 4, 8, 76, 77, 80, and 82 have been amended to correct inadvertent typographical errors. Claims 1, 39, 92, 97, 101, 102, and 104 have been amended to further clarify Applicants' invention. Applicants' specification has been amended to recite "optionally further comprise functional groups *such as*" instead of "optionally further comprise functional groups *chosen from*." Support for this amendment can be found, for example, in Applicants' original claim 1, as-filed. No new matter has been added by these amendments, nor do these amendments raise new issues or necessitate the undertaking of any additional search of the art by the Office.

II. Rejection Under 35 U.S.C. § 112, First Paragraph

Claims 1-104 have been rejected under 35 U.S.C. § 112, first paragraph. The Examiner contends that "[t]he specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make or use the

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invention commensurate in scope with these claims." (Office Action dated May 9, 2001, page 2, lines 11-13.) However, Applicants respectfully disagree and traverse this ground for rejection.

According to the Manual of Patent Examining Procedure ("MPEP"):

The claims as filed in the original specification are part of the disclosure and therefore, if an application as originally filed contains a claim disclosing material not disclosed in the remainder of the specification, **the applicant may amend the specification to include the claimed subject matter.**

M.P.E.P § 2163.06(III) (emphasis supplied).

Accordingly, Applicants have amended page 5 of the specification to recite "optionally further comprise functional groups *such as*" instead of "optionally further comprise functional groups *chosen from*." Support for this amendment can be found in claim 1, wherein Applicants recite "optionally further comprise functional groups." Because original claim 1 was not restricted to any specific functional groups, and because Applicants are legally entitled to amend the specification to include claimed subject matter, the specification, as amended, enables any person skilled in the art to make or use the invention commensurate in scope with the claims. Accordingly, Applicants respectfully request withdrawal of this rejection.

III. Rejections Under 35 U.S.C. § 112, Second Paragraph

On pages 2-3 of the present Office Action, the Examiner has rejected claims 1-104 under 35 U.S.C. § 112, second paragraph, as indefinite for failing to point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses this rejection for the reasons detailed below.

The *MPEP* directs Examiners to focus on “whether the claim meets the threshold requirements of clarity and precision, not whether more suitable language or modes of expression are available.” M.P.E.P. § 2173.02 (emphasis supplied). Further, Examiners are instructed to “allow claims which define the patentable subject matter with a reasonable degree of particularity and distinctness.” *Id.* Even further, the *MPEP* demands that Examiners accord Applicants some “latitude” in their expression and aptness of terms. *Id.*

Therefore, if the scope of the invention can be determined from the language of the claims with a reasonable degree of certainty, then any rejection under 35 U.S.C. § 112, second paragraph, is improper. Applicants respectfully submit that their claims meet this statutory standard for the reasons set forth below. Accordingly, Applicants request the withdrawal of all rejections under § 112, second paragraph.

A. Claims 1, 92, 101, 102, and 104

The Examiner has rejected claims 1, 92, 101, 102, and 104 “because the metes and bounds of the term ‘group that can react by chain addition reaction’ and the term ‘can optionally further comprise’ are unclear.” (Office Action dated May 9, 2001, page 2, lines 20-21.) As the Examiner has only restated the subject matter of Applicants’ claim, and has failed to provide any reasoning to support why this particular language is unclear, Applicants respectfully traverse this ground for rejection and request that it be withdrawn.

1. The term “optionally” is an appropriate alternative format

Although Applicants' claims as originally filed were clear, Applicants have amended claims 1, 92, 101, 102, and 104 by deleting superfluous words to recite “optionally comprising at least one functional group” instead of “can optionally further comprise functional groups.” This amendment renders the affected claims even more clear and thus allowable. Further, Applicants point out that the term “optionally” is appropriate as an alternative claim language format when there is “no ambiguity as to which alternatives are covered by the claim.” M.P.E.P. § 2173.05(h)(III). In the present case, it is clear that the claimed subject matter can alternatively comprise at least one functional group.

2. Applicants' functional limitations are proper

Applicants properly recite “groups that can react by chain addition reaction” in claims 1, 92, 101, 102, and 104. Applicants submit that there is no error in this language choice, as “[t]here is nothing inherently wrong with defining some part of an invention in functional terms.” M.P.E.P. § 2173.05(g). Further, this type of language is often used “to define a particular capability or purpose that is served by the recited element.” *Id.* Appropriately, Applicants choose to define R₁ in terms of its capabilities, *i.e.*, “groups that can react by chain addition reaction.”

Accordingly, as there is no ambiguity present in claims 1, 92, 101, 102, and 104, Applicants respectfully request withdrawal of this rejection.

B. Claim 14

The Examiner has rejected claim 14 "because the term 'essentially' is relative or subjective, rendering the claim vague and indefinite." (Office Action dated May 9, 2001, page 3, lines 1-2.) Applicants respectfully disagree and traverse this rejection.

Terms of degree such as "essentially" are proper, even if such terms are imprecise, without automatically rendering the claim indefinite. M.P.E.P. § 2173.05 (b). The statutory requirement of definiteness is satisfied if "one of ordinary skill in the art would understand what is claimed, in light of the specification." M.P.E.P. § 2173.05 (b). The test to be employed by the Examiner is to determine (1) whether the specification discloses a standard for measuring the degree, and (2) if there is no standard, whether one skilled in the art would be reasonably apprised of the scope of the invention. M.P.E.P. § 2173.05 (b). This test has been met by Applicants' disclosure.

For example, Applicants' specification provides that an essentially non-crosslinked silicone copolymer is "not crosslinked to an extent sufficient to be referred to as a crosslinked copolymer." (Specification, page 6, lines 4-5.) Thus, as Applicants have satisfied the statutory requirements by disclosing a standard for measuring the degree of "essentially," this rejection should be withdrawn.

C. Claim 97

The Examiner has rejected claim 97 "because the term 'satisfactory' is relative or subjective, rendering the claim vague and indefinite." (Office Action dated May 9, 2001, page 3, lines 3-4.) Applicants respectfully traverse this reason for rejection, however, in order to facilitate prosecution, Applicants have amended claim 97 by deleting the term

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"satisfactory." Accordingly, the rejection of claim 97 should be withdrawn, as it is now moot in view of Applicants' amendment.

D. Claim 101

The Examiner has rejected claim 101 "because the term 'caring' is vague and indefinite because the metes and bounds of the patent protection sought are unclear." (Office Action dated May 9, 2001, page 3, lines 5-6.) Applicants respectfully traverse this rejection.

The *MPEP* provides that "if the claims, read in light of the specification, reasonably apprise those skilled in the art both of the utilization and scope of the invention, and if the language is as precise as the subject matter permits, the statute demands no more." M.P.E.P. § 2173.05(a) (citation omitted). Applicants submit that the term "caring" satisfies these statutory requirements.

For example, Applicants point out that the term "care" is common in the art of cosmetics and that one skilled in such art would be reasonably apprised of its utilization. As evidence of commonality, Applicants provide excerpts of two references used in the art. In the first reference, the term care is found in the table of contents to describe some of the recognized formulations in the art. *Harry's Cosmeticology* at vi (Martin M. Rieger ed., Chemical Publishing Co., Inc. 8th ed.). And, in the second reference, the term care is found in the descriptions of recognized product categories in the art. *International Cosmetic Ingredient Dictionary and Handbook* 1699 (7th ed. 1997). Further, Applicants note that the title of the book cited by the Examiner also uses the term care. *The Science of Hair Care* (Charles Zviak ed., Marcel Dekker, Inc. 1986).

Even further, Applicants note that the Examiner herself recognizes the term as appropriate, as she used the term to characterize one aspect of Applicants' invention. (Office Action dated May 9, 2001, page 4, line 16.)

Thus, Applicants submit that this evidence of extensive use indicates that one skilled in the art would know what is meant by the term care and Applicants respectfully request withdrawal of this rejection.

E. Claim 39

The Examiner has rejected claim 39 because of the supposed typographical error presented by the term "wherein in." (Office Action dated May 9, 2001, page 3, line 8.) Applicants respectfully disagree and traverse this rejection.

Applicants consciously constructed claim 39 to recite "wherein in" to emphasize that the listed variables pertained only to the quaternary ammonium salts of formula (VII) and not to the other cationic surfactants listed in claim 37, the claim from which claim 39 depends. However, to be more clear, Applicants have amended claim 39 to recite "wherein said quaternary ammonium salts of formula (VII) are chosen from quaternary ammonium salts of formula (VII) wherein." Accordingly, as amended, the rejection of claim 39 should be withdrawn.

IV. Rejections Under 35 U.S.C. § 103(a)

To establish a *prima facie* case of obviousness, the Examiner bears the burden of establishing that there exists (1) some suggestion or motivation to modify or combine reference teachings, (2) a reasonable expectation of success in modifying or combining

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the references, and (3) that the references teach or suggest all of the claim limitations.

M.P.E.P. § 2143. In the present case, not one of the combinations of references satisfies all three of these requirements.

A. Dalle Taken with Zviak, Quack, or Mougin

The Examiner has rejected claims 1-18, 21, and 101-104 as unpatentable under 35 U.S.C. § 103(a) over (1) European Patent No. EP 0874017 ("*Dalle*") taken with *The Science of Hair Care* 68-70 ("*Zviak*"), or alternatively (2) claims 1-17, 19, 20, 22, 24, and 101-104 over *Dalle* in view of U.S. Patent No. 4,237,243 to *Quack et al.* ("*Quack*"), or alternatively (3) claims 1-19, 22, 23, 25-36, and 101-104 over *Dalle* in view of U.S. Patent No. 6,166,093 to *Mougin et al.* ("*Mougin*"). The Examiner contends that it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the composition in *Dalle* by adding any of the thickeners in *Zviak*, *Quack*, or *Mougin* because of the expectation to have produced compositions with desired viscosity. (Office Action dated May 9, 2001, page 4, lines 14-17; page 5, lines 10-13; page 6, 15-18.) As all of these combinations of references fail to teach or suggest all of the claim limitations, and because there is no suggestion or motivation to modify *Dalle* in the way proposed by the Examiner, Applicants disagree with these rejections and respectfully traverse for at least the reasons set forth below.

1. All elements of Applicants' claims are neither taught nor suggested

Not one of the combinations of references teaches or suggests all of Applicants' claim limitations, as there is no teaching or suggestion of a specific viscosity range for

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the silicone copolymer in *Dalle*. The Examiner alleges that Applicants' at least one polysiloxane is "identical" to the polysiloxane disclosed in *Dalle*. (Office Action dated May 9, 2001, page 4, lines 3-5.) Although Applicants do not consider their at least one polysiloxane to be identical to that of *Dalle*, there exists a more significant defect in *Dalle*. Applicants claim comprises, among other components, "at least one silicone copolymer with a dynamic viscosity ranging from 1×10^6 to 100×10^6 cP." (Claim 1.) Although *Dalle* discloses a specific viscosity measurement pertaining to its polysiloxane, *Dalle* does not disclose a viscosity for its reaction product—the silicone copolymer. This viscosity limitation recited by Applicants, which cannot be ignored, is neither taught nor suggested by the references cited by the Examiner.

2. There is no motivation to modify *Dalle*

There is no suggestion or motivation to modify *Dalle* in the way proposed by the Examiner because the Examiner has failed to satisfy the clear and particular standard required of such a showing. "The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination." M.P.E.P. § 2143.01 (emphasis in original). Further, there must be some objective reason to combine references. *Id.* The objective reason supporting a motivation to combine must be "clear and particular." *In re Dembiczak*, 175 F.3d 994, 999, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999).

Thus, picking and choosing among isolated disclosures in the references to deprecate the claimed invention amounts to improper hindsight reconstruction and is prohibited. *In re Fine*, 837 F.2d 1071, 1075, 5 USPQ2d 1596, 1600 (Fed. Cir. 1988). In

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the present case, the Examiner has resorted to hindsight reconstruction of Applicants' invention and has failed to show a clear and particular motivation to combine the cited references.

Stated simply, the Examiner must show that the combination of references would have provided incentive to one of ordinary skill in the art to develop Applicants' specific invention. This incentive must be clear and particular.

The Examiner has employed hindsight in her attempt at reconstructing Applicants' invention from the references cited, which do not provide any teaching or suggestion of Applicants' specific invention. The Examiner admits that *Dalle* "lacks a specific mention of using non-cellulose thickener" and she attempts to lump this component of Applicants' invention in with the "conventional ingredients" of *Dalle*. (Office Action dated May 9, 2001, page 4, lines 8-10.) This is neither a clear nor a particular showing.

Further, the Examiner alleges that the incentive for combining *Dalle* with *Zviak*, *Quack*, or *Mougin* lies in the expectation to have produced compositions with desired viscosity. (Office Action dated May 9, 2001, page 4, lines 14-17; page 5, lines 10-13; page 6, 15-18.) However, there is not even a suggestion in *Dalle* that one skilled in the art would desire to make adjustments to *Dalle*'s method to alter viscosity. One could even extrapolate from *Dalle* that the opposite would be true, as the polymers used in *Dalle* recite specific viscosity limitations themselves. (*Dalle*, page 3, lines 18-19.)

Clearly, the Examiner employs hindsight reconstruction, as it is easy to read the advantages of Applicants' invention into the references once Applicants have achieved the invention. Accordingly, Applicants respectfully request withdrawal of this rejection.

B. Dalle and Mougin in Further View of Restle

The Examiner has rejected claims 38-63 under 35 U.S.C. § 103(a) as unpatentable over *Dalle* and *Mougin* in further view of U.S. Patent No. 6,039,936 to *Restle et al.* ("*Restle*"). The Examiner admits that *Dalle* and *Mougin* as combined "lack a mention that the specific surfactants in claims 37-63 may be used in the composition." (Office Action dated May 9, 2001, page 7, lines 1-2). However, the Examiner alleges that this combination with *Restle* would have been obvious. Applicants respectfully disagree and traverse this rejection for at least the following reasons.

Applicants submit that the combination of *Dalle* and *Mougin* with *Restle* fails to satisfy the requirements of obviousness for at least the reasons that not all of the claim limitations are taught by the combination and that the Examiner has not stated a clear and particular objective reason supporting such a combination.

First, as discussed above, because the combination of *Dalle* with *Mougin* does not teach or suggest Applicants' viscosity range, let alone any viscosity range, for the silicone copolymer in *Dalle*, the further combination with *Restle* is inadequate.

Second, the Examiner alleges that the incentive for combining *Dalle* with *Mougin* and *Restle* is the "expectation to have produced compositions which would enhance penetration of actives and glossy appearance, and softness [stet] on hair, as taught by *Restle et al.*" (Office Action dated May 9, 2001, page 7, lines 11-15.) However, *Dalle* teaches away from the use of cationic surfactants by distinguishing itself from prior art comprising cationic surfactants. Specifically, *Dalle* recites "the anionic and cationic surfactants used in these emulsions can be irritating to the skin and they can affect the stability of products into which the emulsions are incorporated." (*Dalle*, page 2, lines

17-20.) Applicants submit that, contrary to the Examiner's assertion, one of skill in the art with *Dalle* before him would steer clear of incorporating cationic surfactants into *Dalle's* method because of the drawbacks explicitly disclosed in *Dalle*. Accordingly, Applicants respectfully request withdrawal of this rejection.

C. *Dalle* and *Mougin* in view of *Decoster*

The Examiner has rejected claims 64-100 under 35 U.S.C. § 103(a) as unpatentable over *Dalle* and *Mougin* in view of U.S. Patent No. 6,150,311 to *Decoster et al.* ("*Decoster*"). Applicants respectfully traverse this rejection for at least the reason that, as discussed above, the combination of *Dalle* with *Mougin* does not teach or suggest Applicants' viscosity range, let alone any viscosity range, for the silicone copolymer in *Dalle*. Because *Decoster* cannot fill this void, Applicants respectfully request withdrawal of this rejection.

V. Obviousness-Type Double Patenting Rejection

The Examiner has provisionally rejected claims 1-104 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-84 of copending Application No. 09/692,360. Applicants respectfully request that this rejection be held in abeyance until allowable subject matter is indicated. At that time, Applicants will consider whether or not it is appropriate to file a Terminal Disclaimer.

VI. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: August 8, 2001

By. 

Michele L. Mayberry
Reg. No. 45,644

Attachments: Excerpt from *Harry's Cosmetology*
Excerpt from *International Cosmetic Ingredient Dictionary and Handbook*
Appendix: Version with Markings to Show Changes Made

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APPENDIX TO AMENDMENT OF AUGUST 8, 2001

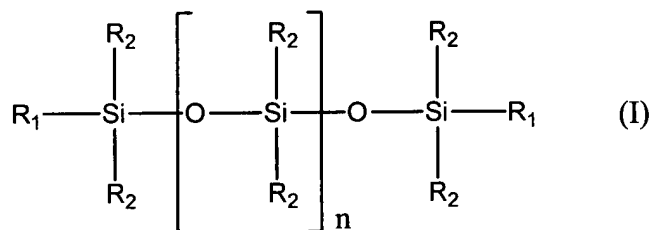
Version with Markings to Show Changes Made

Amendments to the Specification

Please replace the third paragraph on page 4 of the specification with the following paragraph:

The at least one silicone copolymer results from the addition reaction, in the presence of a catalyst, of ~~at least~~:

- (a) at least one polysiloxane of formula (I):



in which:

- R₁, which may be identical or different, are independently chosen from groups that can react by chain addition reaction such as, for example, a hydrogen atom or aliphatic groups comprising an ethylenic unsaturation, such as vinyl, allyl and hexenyl groups;
- R₂ in formula (I), which may be identical or different, are independently chosen from hydroxyl, alkyl, alkenyl, cycloalkyl, aryl, and alkylaryl groups, and can

optionally further comprise functional groups ~~chosen from~~ such as ethers, amines, carboxyls, hydroxyls, thiols, esters, sulfonates and sulfates; wherein:

- the alkyl groups comprise, for example, from 1 to 20 carbon atoms; the alkenyl groups comprise, for example, from 2 to 10 carbon atoms; the cycloalkyl groups comprise, for example, 5 or 6 carbon atoms; the aryl groups comprise, for example, phenyl groups; and the alkylaryl groups comprise, for example, from 7 to 20 carbon atoms;
- In one embodiment, R₂ is chosen from methyl.
- n is an integer wherein the at least one polysiloxane of formula (I) has a kinematic viscosity ranging from 1 to 1 x 10⁶ mm²/s, for example, n may range from 5 to 5000; and
- (b) at least one silicone compound comprising at least one and not more than two groups capable of reacting with the groups R₁ of the at least one polysiloxane (a), wherein:
 - at least one of the compounds of type (a) and (b) comprises an aliphatic group, such as a C₂-C₆ aliphatic group, comprising an ethylenic unsaturation.

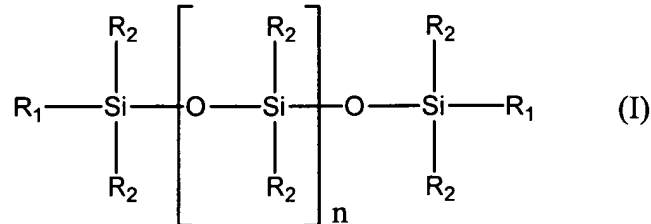
Amendments to the Claims

Please replace claims 1, 4, 8, 39, 76, 77, 80, 82, 92, 97, 101, 102, and 104, with amended claims 1, 4, 8, 39, 76, 77, 80, 82, 92, 97, 101, 102, and 104, as follows:

1. (Once Amended) A cosmetic composition comprising, in a cosmetically acceptable medium, at least one non-cellulose thickener and at least one aqueous emulsion comprising at least one silicone copolymer with a dynamic viscosity ranging

from 1×10^6 to 100×10^6 cP, resulting from the addition reaction, in the presence of a catalyst, of at least:

- (a) at least one polysiloxane of formula (I):



in which:

- R_1 , which may be identical or different, are independently chosen from groups that can react by chain addition reaction,
- R_2 in formula (I), which may be identical or different, are independently chosen from alkyl, alkenyl, cycloalkyl, aryl, hydroxyl, and alkylaryl groups, ~~and can optionally further comprise functional groups,~~ optionally comprising at least one functional group.
- n is an integer wherein the said at least one polysiloxane of formula (I) has a kinematic viscosity ranging from 1 to 1×10^6 mm²/s; and

(b) at least one silicone compound comprising at least one and not more than two groups capable of reacting with the groups R_1 of the said at least one polysiloxane (a), wherein:

- at least one of the compounds of type (a) and (b) comprises an aliphatic group comprising an ethylenic unsaturation.

4. (Once Amended) A composition according to claim 1, wherein the groups R_2 are chosen from hydroxyl groups; alkyl groups comprising from 1 to

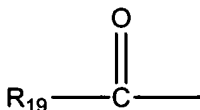
20 carbon atoms; cycloalkyl groups comprising from 5 to 6 carbon atoms; phenyl groups; alkylaryl groups comprising from 7 to 20 carbon atoms; and ~~can optionally further comprise functional groups~~ optionally comprising at least one functional group chosen from ethers, amines, carboxyls, hydroxyls, thiols, esters, sulfonates and sulfates.

8. (Once Amended) A composition according to claim 1, wherein ~~the~~ said at least one silicone compound of type (b) is another at least one polysiloxane of type (a) in which at least one and not more than two groups R_1 of the polysiloxane said at least one silicone compound of type (b) can react with the groups R_1 of the said at least one polysiloxane (a).

39. (Once Amended) A composition according to claim 37, wherein ~~in said quaternary ammonium salts of formula (VII):~~ said quaternary ammonium salts of formula (VII) are chosen from quaternary ammonium salts of formula (VII) wherein:

- R_{15} is chosen from methyl and ethyl radicals,
- x and y are equal to 1;
- z is equal to 0 or 1;
- n, p and r are equal to 2;
- R_{16} is chosen from:

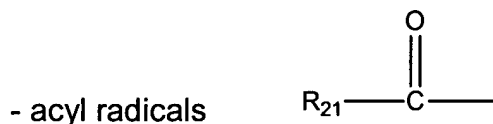
- acyl radicals



wherein R₁₉ is defined below,

- methyl, ethyl and C₁₄-C₂₂ hydrocarbon-based radicals, and
- a hydrogen atom;

- R₁₈ is chosen from:



- wherein R₂₁ is defined below,

- a hydrogen atom; and
- R₁₇, R₁₉ and R₂₁, which may be identical or different, are independently chosen from linear and branched, saturated and unsaturated, C₁₃-C₁₇ hydrocarbon-based radicals.

76. (Once Amended) A composition according to claim 64, wherein said at least one surfactant is chosen from nonionic surfactants chosen from polyethoxylated, polypropoxylated and polyglycerolated fatty acids, alkylphenols, -diols and alcohols having a fatty aliphatic chain comprising from 8 to 18 carbon atoms, wherein the number of ethylene oxide and propylene oxide groups ranges from 2 to 50 and the number of glycerol groups ranges from 2 to 30, copolymers of ethylene oxide and of propylene oxide, condensates of ethylene oxide and of propylene oxide with fatty alcohols, polyethoxylated fatty amides comprising from 2 to 30 mol of ethylene oxide, polyglycerolated fatty amides comprising on average from 1 to 5 glycerol groups, polyethoxylated fatty amines comprising from 2 to 30 mol of ethylene oxide,

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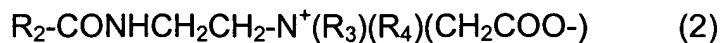
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oxyethylenated fatty acid esters of sorbitan comprising from 2 to 30 mol of ethylene oxide, fatty acid esters of sucrose, fatty acid esters of polyethylene glycol, alkylpolyglycosides, N-alkylglucamine derivatives, and amine oxides.

77. (Once Amended) A composition according to claim 76, wherein said polyglycerolated fatty amides comprise on average from 1.5 to 4 glycerol groups.

80. (Once Amended) A composition according to claim 64, wherein said at least one surfactant is chosen from amphoteric surfactants chosen from aliphatic secondary and tertiary amine derivatives wherein the aliphatic radical is chosen from linear and branched chain radicals comprising from 8 to 22 carbon atoms and comprising at least one water-soluble anionic group, (C₈-C₂₀)alkylbetaines, sulfobetaines, (C₈-C₂₀)alkylamido(C₁-C₆)alkylbetaines, and (C₈-C₂₀)alkylamido(C₁-C₆)alkylsulfobetaines.

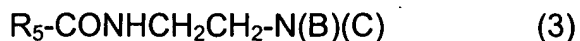
82. (Once Amended) A composition according to claim 80, wherein said amine derivatives are chosen from the compounds:



in which:

- R₂ is chosen from alkyl radicals derived from an acid R₂-COOH present in hydrolysed coconut oil, heptyl, nonyl and undecyl radicals,
- R₃ is chosen from -hydroxyethyl groups, and
- R₄ is chosen from carboxymethyl groups;

and



in which:

- (B) is $\text{-CH}_2\text{CH}_2\text{OX}'$, with X' chosen from a $\text{-CH}_2\text{CH}_2\text{-COOH}$ group and a hydrogen atom,

- (C) is $\text{-(CH}_2)_z\text{-Y}'$, with $z =$ wherein z is equal to 1 or 2, and with Y' chosen from -COOH and $\text{-CH}_2\text{-CHOH-SO}_3\text{H}$ radicals,

- R_5 is chosen from alkyl radicals and unsaturated C_{17} radicals.

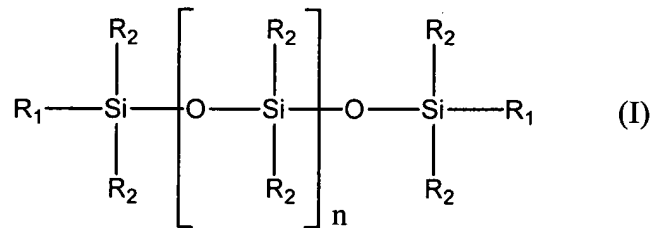
92. (Once Amended) A rinse-out conditioner, a leave-in conditioner, a composition for permanent-waving the hair, a composition for straightening the hair, a composition for dyeing the hair, a composition for bleaching the hair, a rinse-out composition to be applied before a procedure chosen from dyeing, bleaching, permanent-waving and straightening the hair, a rinse-out composition to be applied after a procedure chosen from dyeing, bleaching, permanent-waving and straightening the hair, a rinse-out composition to be applied between the two steps of a permanent-waving operation, a rinse-out composition to be applied between the two steps of a hair-straightening operation, a washing composition for the body, an aqueous lotion, an aqueous-alcoholic lotion, a gel, a milk, a cream, an emulsion, a thickened lotion, a mousse, or a detergent composition comprising a washing base comprising, in a cosmetically acceptable medium, at least one non-cellulose thickener and at least one aqueous emulsion comprising at least one silicone copolymer with a dynamic viscosity

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ranging from 1×10^6 to 100×10^6 cP, resulting from the addition reaction, in the presence of a catalyst, of at least:

- (a) **at least** one polysiloxane of formula (I):



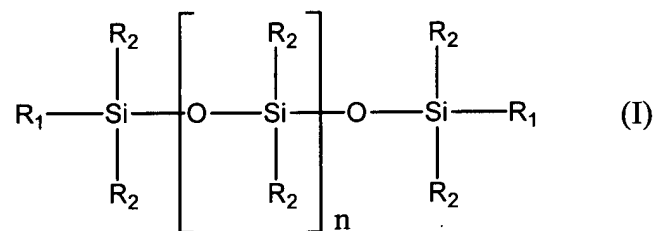
in which:

- R_1 , which may be identical or different, are independently chosen from groups that can react by chain addition reaction,
- R_2 in formula (I), which may be identical or different, are independently chosen from alkyl, alkenyl, cycloalkyl, aryl, hydroxyl, and alkylaryl groups, ~~and can optionally further comprise functional groups,~~ **optionally comprising at least one functional group,**
- n is an integer wherein ~~the~~ **said at least one** polysiloxane of formula (I) has a kinematic viscosity ranging from 1 to 1×10^6 mm²/s; and
- (b) at least one silicone compound comprising at least one and not more than two groups capable of reacting with the groups R_1 of the **said at least one** polysiloxane (a), wherein:
 - at least one of the compounds of type (a) and (b) comprises an aliphatic group comprising an ethylenic unsaturation.

97. (Once Amended) A detergent composition according to claim 96, wherein said at least one surfactant is present in an amount effective to provide ~~satisfactory~~ foaming power and ~~satisfactory~~ detergent power.

101. (Once Amended) A process of washing or caring for a keratin material comprising applying to said keratin material a composition comprising, in a cosmetically acceptable medium, at least one non-cellulose thickener and at least one aqueous emulsion comprising at least one silicone copolymer with a dynamic viscosity ranging from 1×10^6 to 100×10^6 cP, resulting from the addition reaction, in the presence of a catalyst, of at least:

- (a) at least one polysiloxane of formula (I):



in which:

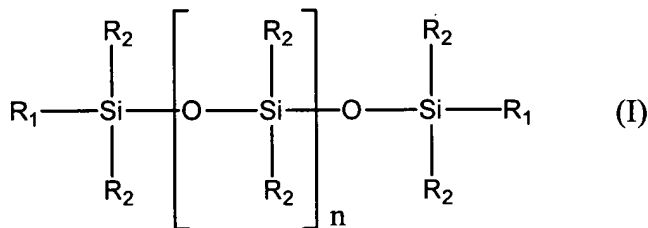
- R_1 , which may be identical or different, are independently chosen from groups that can react by chain addition reaction,
- R_2 in formula (I), which may be identical or different, are independently chosen from alkyl, alkenyl, cycloalkyl, aryl, hydroxyl, and alkylaryl groups, ~~and can~~

~~optionally further comprise functional groups,~~ optionally comprising at least one functional group,

- n is an integer wherein the said at least one polysiloxane of formula (I) has a kinematic viscosity ranging from 1 to 1×10^6 mm²/s; and
- (b) at least one silicone compound comprising at least one and not more than two groups capable of reacting with the groups R₁ of the said at least one polysiloxane (a), wherein:
 - at least one of the compounds of type (a) and (b) comprises an aliphatic group comprising an ethylenic unsaturation.

102. (Once Amended) A process for treating a keratin material comprising applying to said keratin material a composition comprising, in a cosmetically acceptable medium, at least one non-cellulose thickener and at least one aqueous emulsion comprising at least one silicone copolymer with a dynamic viscosity ranging from 1×10^6 to 100×10^6 cP, resulting from the addition reaction, in the presence of a catalyst, of at least:

- (a) at least one polysiloxane of formula (I):

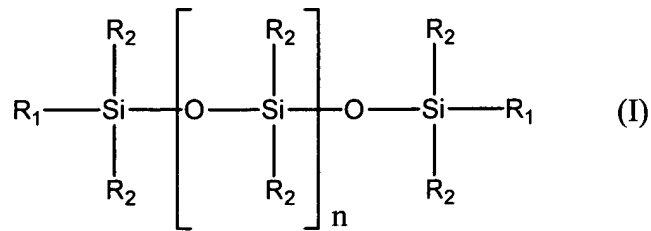


in which:

- R₁, which may be identical or different, are independently chosen from groups that can react by chain addition reaction,
- R₂ in formula (I), which may be identical or different, are independently chosen from alkyl, alkenyl, cycloalkyl, aryl, hydroxyl, and alkylaryl groups, ~~and can optionally further comprise functional groups,~~ **optionally comprising at least one functional group,**
- n is an integer wherein the **said at least one** polysiloxane of formula (I) has a kinematic viscosity ranging from 1 to 1 x 10⁶ mm²/s; and
- (b) at least one silicone compound comprising at least one and not more than two groups capable of reacting with the groups R₁ of the **said at least one** polysiloxane (a), wherein:
 - at least one of the compounds of type (a) and (b) comprises an aliphatic group comprising an ethylenic unsaturation, and optionally rinsing said composition out with water.

104. (Once Amended) A process for manufacturing a cosmetic product comprising including in said product at least one non-cellulose thickener and at least one aqueous emulsion comprising at least one silicone copolymer with a dynamic viscosity ranging from 1 x 10⁶ to 100 x 10⁶ cP, resulting from the addition reaction, in the presence of a catalyst, of ~~at least~~:

- (a) **at least** one polysiloxane of formula (I):



in which:

- R₁, which may be identical or different, are independently chosen from groups that can react by chain addition reaction,
- R₂ in formula (I), which may be identical or different, are independently chosen from alkyl, alkenyl, cycloalkyl, aryl, hydroxyl, and alkylaryl groups, ~~and can optionally further comprise functional groups,~~ **optionally comprising at least one functional group,**
- n is an integer wherein ~~the~~ **said at least one** polysiloxane of formula (I) has a kinematic viscosity ranging from 1 to 1 x 10⁶ mm²/s; and
- (b) at least one silicone compound comprising at least one and not more than two groups capable of reacting with the groups R₁ of the **said at least one** polysiloxane (a), wherein:
 - at least one of the compounds of type (a) and (b) comprises an aliphatic group comprising an ethylenic unsaturation.

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